

NEWS MEDIA

Abstract: The American news media industry fulfills two key roles in American society: (a) it provides information that helps the people of the United States act as informed citizens, and (b) it functions as a watchdog that provides an important set of checks on the power of the American government. The news media industry consists mainly of profit-oriented businesses that continually must make judgments about what they report as news, what is truly public service, and what will sell. Several trends have emerged within the industry in recent years: consolidation of news organizations, government deregulation, digital delivery and continued emergence of “new media,” news as entertainment, decline in international coverage, declining circulation and viewership of the oldest media institutions (metropolitan dailies and networks), increased skepticism of the credibility of “mainstream media,” and embedded war reporters. Increasingly, the fragmentation of viewership – combined with the financial pressures of turning a profit – has challenged the mainstream media as they struggle to retain their core viewers. They also have been hit by a series of verification scandals that have reinforced many consumers’ skepticism of the press’s power and biases. Looking ahead, the ability of news consumers to tailor news to their own needs and to access it at their convenience will continue to affect news organizations’ approach to the news and their profitability. However, the increasingly diverse means by which consumers may access news and the rising number of news options bodes well for an American public that takes pride in a free and open press.

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PLACES VISITED

Domestic

ABC News, NY, NY
America Online, Dulles, VA
Associated Press, NY, NY
Associated Press Broadcasting, Washington, DC
Bloomberg News, NY, NY
CBS News, NY, NY
Columbia University, Graduate School of Journalism, NY, NY
CNN, Washington Bureau, Washington, DC
The Daily Show, NY, NY
Freedom Forum, Arlington, VA
Fox News/News Corp, NY, NY
Military Times, Springfield, VA
National Public Radio, Washington, DC
Nielsen Media Research, NY, NY
The New York Times, Washington Bureau, Washington, DC
Reuters East Coast Bureau, NY, NY
Univision, Washington, DC
US News & World Report, Washington, DC
Voice of America, Washington, DC
The Wall Street Journal Online Edition, NY, NY
The Washington Times, Washington, DC
WTOP Radio, Washington, DC
XM Satellite Radio, Washington, DC

International

American Embassy, Athens, Greece
Antenna Television, Athens, Greece
British Broadcasting Corporation World Service, London, England
Duna Television, Budapest, Hungary
The Economist, London, England
ERT (Greek state radio), Athens, Greece
Financial Times, London, England
Gazdasági Rádió, Budapest, Hungary
The Guardian, London, England
Heti Valasz, Budapest, Hungary
Kathimerini, Athens, Greece
The Times, London, England
Magyar Hirlap, Budapest, Hungary
Metro, Budapest, Hungary
MTI (Hungarian News Agency), Budapest, Hungary
Ministry of Defense, London, England
SKY Television, London, England

INDUSTRY DEFINITION

The news media industry is composed of familiar organizations that disseminate news – newspapers, television, radio, magazines – but also, increasingly, digital news delivery via the Internet. While the “Fourth Estate” does transmit news, it is important to national security because of its influence.¹ Most members of the industry are profit-seeking firms that also generally profess (which is not to say always practice) a public service element – that the industry is responsible for keeping government in check, for asking tough questions of our leaders, and for providing a forum for informing the public. This element gives the industry the ability, buttressed by the First Amendment and more than two centuries of practice, to inform, shape, and help determine the direction of public opinion and policy.

Newspapers, while suffering through declining readership, remain a viable industry, particularly in larger metropolitan areas. Traditional broadcast media are essentially free, while cable and satellite stations provide wider programming choices and enjoy less regulation of content. News periodicals, especially the “Big Three” weeklies, *Time*, *Newsweek*, and *U.S. News & World Report*, try to supplement the sometimes helter-skelter, superficial reporting seen in daily media. Because they have more time and space in which to develop their stories, they strive to provide texture and nuance to the news, while recognizing that consumers can get instant news most anywhere.

Digital delivery is the fastest growing means by which consumers obtain their news. In 2005, for the first time ever, *The Wall Street Journal*’s online edition produced greater revenues than its print edition, and *The Washington Post* announced that it had more readers online than it did in print. As traditional media also feature their product on websites, and some transmit directly via new media forms such as bloggers, podcasts, and vloggers, digital delivery is no longer a futuristic notion; it is a part of the mainstream, with the major question being how it will affect the shape and future of news delivery and consumption.

GOVERNMENT/MEDIA GOALS AND ROLES

Our Forefathers, who relied on pamphleteers and gazettes, might applaud the diversity of the media today and their impact on news media behavior in other countries. America, conceived with a free press, has given rise to countless media outlets, fostered by minimal governmental meddling, a place where market forces have more to do with media success than regulation has to do with its failures. The diverse media market, with AM radio and home-delivered newspapers at one end, and cell phones and downloaded news on the other, is proof of the media’s resiliency and the government’s restraint. Both the media and the government would do well to continue this symbiotic relationship as technology, news consumption, and news delivery methods continue to evolve.

Tension and friction are not uncommon – or unhealthy – when free media operate in a democracy. The media desire to function in an unfettered manner, and the government has a constitutional obligation to allow the citizenry a press that is largely

unregulated. The Founding Fathers valued the press most of all as a check on the powers of the central government (“*Congress shall make no law...*”); yet all free governments, America included, have policies that affect their essentially free media to some extent.

Overseas. As democracies mature and expand around the globe, American-style freedom of the press grows along with them. Independent media outlets spring up to compete with or replace government-run operations. In visiting the United Kingdom, Greece, and Hungary, we encountered philosophies of media control somewhat different from the US. The US approach provides limited governmental support for “public” radio and TV and no involvement in print journalism. The UK also has no control over print media, but large government stakes in the BBC, which retains editorial independence. By contrast, Greece has some government ownership of radio and TV, almost no corporate broadcasting, and a diverse corporate print tradition that generally features newspapers with overt social and political agendas. Finally, Hungary has little corporate ownership in any media (though significant foreign ownership), and the government owns or subsidizes radio, TV, and print journalism efforts. Both Hungarian and Greek journalists involved in state-supported enterprises acknowledged receiving political pressure, though only the Greeks acknowledged that it ever affected their content. All foreign media reported declines in newspaper circulation and both London and Budapest faced challenges from free tabloids that have quickly gained huge circulation.

Regulatory Reach. In America, the media-government debate centers more on *deregulation*. The past decade has seen great regulatory divestiture, as advancements in technology and a reduction in oversight ushered in the Internet, satellite radio, digital TV, and wireless devices. The only significant public push for increased government regulation is in the “content” arena, and generally centers on profanity, sex, and violence in entertainment programs.² The government has never seriously sought to regulate the content of the news since the Alien and Sedition Acts (other than, e.g., the discarded Fairness Doctrine for electronic media, and it only involved expressions of opinion) but fully embraces its role as the public’s guardian of the means of delivery.

No single company may own too many media outlets in any given market, because of concerns that it would diminish public “choice” in editorial consumption.³ The Federal Communications Commission (FCC) regulates broadcast frequencies and power output, but it also relies on the “finite” nature of the spectrum to require conventional broadcast stations to provide educational local access programs. Similarly, cable and satellite providers must include “local” programming in their packages so the public is assured of local news and information.

CURRENT CONDITIONS

The news media industry is in the midst of revolutionary change with respect to how it collects and distributes content. Traditional newspapers and broadcast outlets are experiencing stagnant or declining audiences, while online and ethnic (predominantly Spanish language) outlets are continuing to grow. Consumers have come to expect their news on demand, and media have scrambled to provide their product around-the-clock.

The most significant change in the industry is the emergence of new technologies and their implications for the mainstream media – corporate giants meet citizen journalists. The “new media” – blogs (web logs), vlogs (video logs), and podcasting (downloading news to iPods or sending it to them directly) – are forcing traditional media to rethink their audiences, delivery methods and business models. Audiences are simultaneously growing and declining, broadening and fragmenting.

Newspapers. Except for online delivery, the story of newspaper circulation has been continued decline. For the six months ending September 30, 2004, circulation at the 841 daily papers and 662 largest papers for which audited totals were available was down 0.9% daily and 1.5% Sunday.⁴ Today, barely half of Americans (54%) read a newspaper during the week (somewhat more on Sundays) and the number is continuing to drop. Competition from Internet news, all-news radio, cable television, and hectic lifestyles has eroded circulation and diminished the role of newspapers in the daily lives of many Americans. Newspaper readers are generally older; young people do not read them or watch television news at the same rate as prior generations did at similar ages.⁵ Newspapers are also constrained by the fact that most of their revenue comes from advertising, not subscriptions – but advertisers’ decisions hinge on the subscribers’ demographics. As a result, many advertisers and customers are moving away from newspapers toward the Internet, and the availability of free news content on the Internet acts as a perverse disincentive to paid circulation.⁶ Data from this spring suggest a possible flattening or upturn in circulation, as *The Washington Times*, *USA Today*, and *The New York Times* reported encouraging figures, but it is too soon to discern whether they foretell a trend.⁷

Network News. As the three major network news anchors prepared to leave their prominent perches in this past year,⁸ their audiences continued their long decline. For decades, the only way to receive television news was through the evening news broadcasts of the three networks. In 1965, 83% of televisions in use during the dinner hour were tuned to an evening news broadcast from one of the three networks. By 1995 this share had fallen to 50%⁹ and it is now about 36%.¹⁰ Americans are generally busier, eat dinner together less often, and have more choices. Despite the downward trend, the news divisions continue to be profitable. All network evening news operations in 2003¹¹ realized the first rise in advertising revenues in years.¹²

Cable News. The cable news audience continues to grow, but at a much slower rate than in previous years. 2004’s modest increase followed a 3% median audience growth rate in 2003.¹³ Contrast that with 2002, when the median audience grew 41%, or 2001, when it grew by 32%.¹⁴ Many journalists say that the 24-hour cycle has weakened their profession. The content of news is measurably thinner, more opinionated, and less densely sourced. Only 26% of the cable day is filled with content filed by news correspondents in the field.¹⁵ Anchors reading “headline news” account for another 20%.¹⁶ The live delivery of the broadcast creates the illusion of something new being reported. “However, cable news is a journalism of assertion, where information is disseminated with only minimal attempts to check it out.”¹⁷ “Only a quarter of cable stories studied contained two or more sources. That compares with 50% of network

evening news, 81% of stories on newspaper front pages, and 78% of online news stories.”¹⁸ Cable news often appears to be less balanced than the over-the-air broadcast news studied. More than three-quarters of interviews and reporter stand-ups (78%) told only one side or mostly one side of controversial stories. That meant only 22% of live reports offered at least two viewpoints.¹⁹ Much of the appeal of cable lies in its ubiquity, a feature that is especially true of emerging media.

Radio. The phenomenal growth of satellite radio continues apace. Satellite radio provides uninterrupted high quality sound and diversity nationwide. Listeners can set their dials on the East Coast and never move them as they drive across the continent. The FCC licensed two companies, XM and Sirius, to operate satellite stations. Each provides more than 120 stations of news, sports, and entertainment (predominantly commercial-free) for about \$13 per month. XM and Sirius are projected to exceed eight million subscribers by the end of 2005, making satellite radio one of the fastest growing technologies ever – faster, even, than cell phones.²⁰ Analysts estimate that by 2010 there could be 30-45 million subscribers.²¹ This trend is causing commercial radio to rethink its strategies. Clear Channel, the industry leader, announced a plan in late 2004 to reduce commercials and promotions by 19% in 2005.²² Commercial radio has accelerated its participation in the implementation of High Definition (HD) Radio. HD technology provides high quality audio and a more robust signal – no more static, hiss, or interruptions. This technology also allows simultaneous data services such as scrolling text displays, and allows multi-casting, producing up to five signals per station.

Ethnic. Spanish language newspapers’ circulation grew in 2003, according to the Latino Print Network. Overall circulation grew to 17.5 million, up 7.7% from 16.2 million in 2002. Among dailies, circulation climbed 6.4% to 1.8 million.²³ Broadcast also fared well. “Univision is now the fifth-largest network in the U.S., and its news programs often attract more viewers than Fox News or CNN. [In July 2004] Univision's stations in Los Angeles, Houston, Dallas, Phoenix, Fresno and Bakersfield all overtook even their English-language competitors in prime time among adults 18-49 to finish first over all. The network's early evening local news in Los Angeles, Chicago, Miami, Houston, Dallas (tie), San Francisco (tie), Fresno, Phoenix and Bakersfield all finished atop the ratings heap among adults 18-34. And in Los Angeles, Miami, Phoenix and Fresno, Univision's early evening local news broadcasts averaged more 18-49 year-olds than the local ABC, CBS and NBC broadcasts combined.”²⁴ Again, the growth of ethnic media, previously a steady niche, reflects consumers’ inclination to seek news directed specifically to them, and may also reflect, as the growth is strongest in Spanish-language media, a larger trend toward a fuzzier identity of American citizenship.

New Media. As the Internet and the worldwide web have become nearly as common to the ordinary household as the television, a host of “new media” instruments have burst onto the scene. Once unfamiliar mechanisms such as blogs, vlogs, and podcasts look to challenge the mainstream media for audience while still grappling with the question of how they will ultimately fit into the news media industry framework.

Blogs have had the most impact so far. At its most elemental, a blog is a web application with time-stamped posts on a common web page,²⁵ essentially an online diary

of the “blogger’s” choice. Blogs have been described as something “between writing your own column and talk radio.”²⁶ Today, there are nearly five million active blogs,²⁷ though their proliferation is no indicator – good or bad – of their reliability. “The blogosphere, while adding the richness of citizen voices, expands this culture of assertion exponentially, and brings to it an affirmative philosophy: publish anything, especially points of view, and the reporting and verification will occur afterward in the response of fellow bloggers. The result is sometimes true and sometimes false.”²⁸

If blogging is the new media kin to mainstream print journalism then vlogging may be the new media cousin to mainstream broadcast journalism. A vlog is simply a video form of a blog in which people create and post video content independent of the major broadcast or cable networks.²⁹ Vlogging allows citizen journalists (or citizens with no pretense of being journalists) to go head-to-head with their true competition - “not news organizations and reporters, but commentators, especially on TV.”³⁰ Although still in its infancy (born c. 2002), vlogging has caught the attention of the mainstream media. During the Asian tsunami disaster of December 2004, vloggers posted videos of the disaster that network and cable television news channels used.³¹

Podcasting is the newest of the so-called new media. The term is a combination of the words iPod (the music player sold by Apple, Inc.) and broadcasting.³² Podcasting is a web-based broadcast medium in which computer files are placed online and then automatically downloaded onto the subscriber’s MP3 player so that “a subscriber receives regular programs without having to remember to go get them, and can listen or watch them at leisure.”³³ Podcasting has yet to make the inroads of blogging or vlogging but in a medium less than two years old, about six million Americans have downloaded and listened to a podcast.³⁴

A controversial and even newer aspect of new technology is the ability of the news consumer to tell his computer what news he wants to consume and to receive that – and nothing more. “Really Simple Syndication” (RSS) is a format through which online news providers send their updated content directly to consumers, who have used RSS to select content (via topic or news source) and receive it in a single convenient location. While it is the ultimate in customer service, it raises the question of whether news consumers avoid contrary viewpoints or disquieting news, and it reduces the chance that they will find other news by the serendipity of turning a printed page or scanning the postings of an online news site.

Consolidation. Over the last 15 years, as the FCC has deregulated the industry, approximately 10-12 global media empires have emerged that can control content across the spectrum. The media giants own not only broadcast networks and local stations, but they also own the cable companies that pipe in the signals, as well as the cable stations and studios that produce most of the programming. In 1990 the four major broadcast networks fully or partially owned just 12.5% of the new series they aired. By 2000, that number jumped to 56.3%. Just two years later, it reached 77.5%. The major broadcasters (ABC, NBC, CBS, and Fox) claim consolidation was a necessity to combat the loss of viewers to independent networks, cable, and the Internet.

In 2003, when the FCC proposed further deregulation, considerable debate ensued among Congress, journalists, and the American public. Because of recent court action and Congressional pressure, the FCC dropped its plans to further deregulate the industry. Now the industry, once hungry to consolidate but hindered by policy changes stalled in the courts, is starting to rethink consolidation. In March 2005, Viacom announced it was considering separating its broadcast network, radio, and advertising businesses from its cable networks and movie studio business, returning to the company's original structure.

Consolidation has also meant a decline in the local focus of both news and programming. The Project for Excellence in Journalism, after analyzing 23,000 stories on 172 news programs over five years, found that big media news organizations relied more on syndicated feeds and were more likely to air national stories with no local connection. As an example, in 2002, Fox Television bought Chicago's Channel 50 and eliminated all of the station's locally produced shows. Local coverage is expensive, and thus is a casualty in the quest for short-term earnings. When two Viacom-owned news stations in Los Angeles were combined, "field reporters began carrying microphones labeled KCBS on one side and KCAL on the other."³⁵

With fewer options, there is a risk that news organizations will emphasize or ignore stories to serve their corporate purpose. For instance, in early 2003, the Pew Research Center found 72% of Americans had heard "nothing at all" about the proposed FCC rule changes; there was scant reporting by the major electronic media on the FCC's actions. Further, a smaller press may be less capable of holding leaders accountable.

CHALLENGES

All elements of the news media face myriad challenges. When and how the industry addresses these challenges will determine how the next generation receives the information that allows a free and democratic society to decide how to govern itself and define its culture.

Technology. The overarching challenge facing the news media is how it will adapt and transform itself in view of the tremendous impact of the Information Age, especially with the maturing of the Internet. By far, the most significant influence on the news industry is the explosive growth of online news services and new media that provide products tailored to specific consumer interests and tastes, synthesizing thousands of sources to offer unprecedented selectivity and diversity – and, potentially, narrowness. Online news consumption, including blogs, is increasing across the population, but most of all among young people who are less entrenched in their news consuming habits. Thirty-six percent of Americans ages 18-29 receive their news regularly online – a 5% increase since 2002.³⁶ People under age 30 use digital news sources more than all other traditional sources of news. When asked which medium was “most essential” to their lives, 39% said television, 26% said radio, 20% the Internet, and only 11% said newspapers.³⁷

Financial Pressures. Annual revenues of the news media industry totaled \$83.1 billion in 2003: \$44.9 billion from newspapers, \$24.2 billion from local television, \$7.3 billion

from online services, \$2.2 billion from network television news (including morning news and news magazines), \$1.8 billion from news magazines, \$1.7 billion from cable television, and \$1.0 billion from radio.³⁸

Across the industry, news divisions are finding it more challenging to compete with other products for a company's limited resources. Publishers, editors, and station managers are asking "What news stories will make our product most profitable?"³⁹ Salaries of journalists, expenses of collecting news, costs for newsprint and printing, and costs to distribute and dispose of newspapers have increased 4-12.5% in the past five years, compared to 3.7-8.5% in the 11-year period before that.⁴⁰ Higher costs have led news divisions to cut their staffs. For example *Los Angeles Times* recently laid off 60 newsroom people, just months after receiving two Pulitzer Prizes. Since 1985 radio news staffs are down by 57% and there are 33% fewer network news correspondents.⁴¹

Public Perception. Credibility, objectivity and trust are inextricably linked in the eyes of the public. There's a growing sense that the news media's credibility and objectivity are continuing to sink, due primarily to perceived influence and pressure resulting from numerous consolidations over the past few years.⁴² In 2004, however, 50% of those surveyed considered the news "believable," as compared to 41% in 2002 and 37% in 1998.⁴³ In 1985 only 14% of Americans scored news organizations "low" for credibility – that number is now up to 33%.⁴⁴ In addition, the number of people who say they believe "almost nothing" in the news has doubled since 1985: 36% for network news, 45% for newspapers, and 37% for news magazines.⁴⁵ Forty-six percent of the public believes radio has "a great deal of bias."⁴⁶

The American public clearly desires timely, convenient, and accurate news. The media have met the first two demands, but at the expense of accuracy and quality. This contributes to increased public mistrust of the industry and potentially fewer loyal listeners and viewers.

While this past year did not feature a scandal of Jayson Blair-like proportions, the combination of bloggers and other error-sniffing elements provided more data for those inclined to skepticism of the media. Bloggers placed themselves squarely in the mainstream with the "swift boat" controversy surrounding John Kerry, and the debunking of the CBS broadcast story regarding President Bush's Vietnam War-era service. Dan Rather was forced into early retirement because he and members of his team failed to check the authenticity of documents used in a story questioning President Bush's National Guard Service. Bloggers quickly determined the document to be a forgery, and CBS was hurt as much by its prolonged insistence that the story was valid as it was by the poor quality control in the broadcast itself.⁴⁷ Newsweek seemed to learn at least a tactical lesson from the CBS debacle when it swiftly (comparatively) retracted its May 2005 story about an interrogator at Guantanamo Bay flushing the Koran down the toilet after its sole anonymous source proved to be shaky, prompting news organizations such as *USA Today*, *The Washington Post*, *Los Angeles Times*, NBC News and *The New York Times* to review their policies regarding anonymous sources.⁴⁸ In another step to

improve credibility, *USA Today* pressured its Pentagon reporter Tom Squitieri to resign after he failed to attribute quotes previously cited in other publications.

Declining Audiences. Other than online media, audiences are declining across the news industry. Today, just 54% of Americans read a daily newspaper at least once a week, down from 85% in the 1980s.⁴⁹ The audience for the evening network news has declined steadily for 25 years, reaching an all-time low of 28.8 million people in 2004, a 45% decrease since 1980.⁵⁰ Whether this is because people have less time for news or choose to devote less time to receiving it in traditional ways (who is to say that the 1950-1980 model should never change?), it has hit the most traditional of the media - daily newspapers and network TV - the hardest..

There is more information available than ever, and it covers a broad range of perspectives. People simply are not consuming it through the traditional outlets in conventional ways on a regular basis. It is not clear the impact on our free and democratic society.

Consolidation. If the FCC does not further restrict ownership limits, the industry may contract even more, leaving a very small number of corporate giants to rule the media landscape. Two examples illustrate media consolidation. The Washington Post Company is a diversified media and education company whose principal operations include newspaper and magazine publishing, television broadcasting, cable television systems, electronic information services, and educational and career services. The Post owns *Newsweek*, several newspapers (including the *The Washington Post*), six television stations, and several cable systems across the country. The second example is Clear Channel Communications. Clear Channel owns approximately 10% of the radio market and leads the radio industry with nearly 1,200 outlets, more than four times its nearest competitor, Cumulus Broadcasting, which owns 267 stations. The top five companies own approximately 20% of the radio market; the top ten own about 43%.⁵¹

Consolidation has most likely increased the appetite for satellite radio and podcasting, as consumers tire of homogenized content and airwaves clogged with commercials. In addition, consolidation allows only a few organizations to exert control over program content, an issue that could further damage the perceived lack of credibility, objectivity, and accuracy of the news media.

Journalism versus Entertainment. The news media industry continues to show some tilt away from hard news toward soft news and “infotainment.” Several factors have contributed to this shift. “The pressures from owners to make more profit undermined good journalism; frivolous subjects often displaced more important topics; celebrities became more important newsmakers than presidents and potentates.”⁵²

Major news organizations that are public companies or part of public companies should take the lead in demonstrating that good journalism and good business are not necessarily mutually exclusive – perhaps a return to their core will prove to be the solution to declining audiences. Many news media elements fall under corporate

structures that include movie studios and other entertainment venues. These market sectors compete internally for a company's constrained resources and externally for the consumers' attention and dollars. In the end, the public will exercise considerable influence over how companies apportion their assets to increase profits.

Relations with the Military. With Operation Iraqi Freedom, the military and the news media have enjoyed a more positive relationship than most recent military conflicts. The embedding process, in which journalists lived and worked side-by-side with service members they covered, proved to be immensely popular with journalists, news consumers, and the military. It gave the American people a near-real time look at the military, and seems to have increased trust and mutual respect between journalists and the military. It is addressed in more detail in the second section of this paper.

OUTLOOK FOR THE NEWS MEDIA INDUSTRY

The outlook is not necessarily the same for the *content* of news and the *business* of producing and selling the news, but they are certainly interdependent. Overall, we foresee increasing business pressures on news outlets, further degrading the quality of journalism; an accelerating fragmentation of the news audience and attendant impacts on advertising and the marketing of the news; and a diminished role in educating and informing citizens and voters.

Competition's Effects: More "Assertion", Increased Cynicism. The increased business pressure on news outlets – not just to show but to maximize profits – has altered the concept of news as a public service and given rise to various forms of media vying for viewer, listener, and reader attention in a dramatically competitive environment. The 24-hour news cycle and the rise of the Internet have generated a public clamor for news that is fast, convenient, and easy to digest. *One result of the "faster, better, cheaper" imperative has been an increased use of the "assertion" model⁵³ of news reporting, which has, especially in cable TV and talk radio, challenged and in some cases supplanted the "verification" model of reporting.* With fewer reporters but greater pressure to produce stories, fact-checking and multiple-source reporting sometimes are sacrificed, replaced by shouting heads or haste (which produced *Newsweek's* Koran embarrassment). The entertainment value of this type of reporting has drawn large audiences, but ironically, the accelerating cynicism of Americans toward the media tracks the rise of assertion news reporting. The measures of cynicism are stark, as noted in the "Challenges" section, above.⁵⁴ There is some evidence that the mainstream media are recognizing a correlation between assertion and cynicism. For example, CNN's new chief executive, Jonathan Klein, has virtually eliminated "Crossfire," the network's bombastic talk show, reducing it to a segment on other programming. He said he intends to concentrate "less on talking and more on storytelling."⁵⁵

Backlash Against Mainstream Media – the Rise of the "Citizen Journalist". Sloppy journalism, resulting in part from the demand for speed and controversy, has created an opening for a new version of "citizen journalist." Bloggers have acted as a check on the mainstream media, taking them to task when they make mistakes, and questioning their

biases. Bloggers are not always paradigms of verification model virtues and can be as assertion-oriented as the media they are skewering. However, they offer an alternative voice on mainstream news, and an alternative source of original reporting. Print and network television need to distinguish themselves from alternative news media by providing in-depth, conscientious, and transparent reporting. Only then will they regain the trust of the American public.

News On Demand – More Fragmentation, Less Quality? We are hurtling toward a time when delivering the news will be characterized as “*on-demand, two-way interaction with news and information sources.*”⁵⁶ This fundamental shift requires this industry to evaluate its business models and to manage capital investments to support new ways of delivering their products. With the profusion of technology that allow consumers to “plug into” news at any time and almost anywhere, broadcasters and print media are scrambling to change how they deliver news – and what assumptions to make in terms of timeliness, customer appetite and advertiser interest.

Competitive pressures have led to a serious underinvestment in the news industry itself, particularly in the online sector. Most online news sites merely consolidate news and do scant original reporting. Given the migration of news consumers to online sources, the news media need to decide whether to invest more aggressively in both their traditional (print or broadcast) *and* online operations to increase their aggregate audience. The current paradox is that most online news is free (and instant and well-presented) creating the quandary for publishers: why should a consumer buy the “hard copy” newspaper when most of it is available for free. Media are in the process of deciding how to manage the relationship between consumer interest and a profitable mode of operation. Greater online investment might reduce short-term profits, it has the greatest potential of long-term economic prosperity.⁵⁷

Another result of “news on demand” is the segmentation of the news audiences. As the *Economist* puts it: “Today the market clusters around opposite poles. At one end is a graying population; at the other are people like the ‘parasite singles,’ who live with their parents and spend whatever they earn on themselves, and the NEETS (not in education, employment, or training).⁵⁸ They all represent valuable consumer markets in their own way, but have almost nothing in common.”⁵⁹ These consumers take in news in very different ways. Advertisers have responded by specifically targeting coveted demographic groups. The consequences of this trend are many and potentially serious. *Most importantly, with audiences fragmented and younger audiences self-directed consumers of news, will we have the informed citizenry we need to maintain our democracy or will we have plugged-in but tuned-out advertising targets?*

Although the American public criticizes the news media for bias and emphasis on soft news and entertainment, the existence of a strong news media industry, and the tradition of good reporting, is vital to the health and well-being of a democratic society. In the words of the famed columnist, Walter Lippman, “There can be no liberty for a community which lacks the information by which to detect lies.” In other words, there is no substitute for the media.

National Security Implications. From the standpoint of national policy, the fragmentation of the industry makes it harder to cultivate national will, because opinion leaders cannot count on the masses reading common news sources or watching the same TV shows. It also permits citizens to shut themselves away from the news all together, or to tailor it in such a fashion that a lack of interest in important national affairs is reinforced by the selective menu of news to which they subscribe. Bloggers and other new media hearken to the days of pamphleteers and call the media and public figures to account – tendencies that can move mobs or reignite civic interest and reinforce leaders’ ability to discern, shape, and tap the national will. Instant transmission – through conventional means or ad-hoc “journalists” such as bloggers and vloggers. It also reduces the reaction time (and reduces the incentive or ability to “manage” stories) – is also a challenge for national leaders, especially regarding military operations, the results of which can be disseminated or compromised in ways that the traditional media could not or did not.

CONCLUSION

The news media industry remains in a transition, the results of which no analyst, journalist, or consumer can reasonably prophesy. News unquestionably arrives faster and cheaper – and is more salacious, more specialized, more diligently reported, less carefully edited, more closely scrutinized, and more taken for granted. In short a jumble of contradictions that reflects the free press in the freest society in the world. As a component of national power, it provides information of infinite quality and quantity to citizens and soldiers, the diligent and the indolent, the responsible and the reckless. More criticized than ever, there are also elements of hope in media that seem to be tempering the rush to the sensational or the voluble, and even some signs that the oldest of our media, the daily newspaper, might be stemming its long decline. In any event, the industry remains a dynamic, fast-changing reflection of all that is good as well as that is imperfect about American society.

VALERIE PLAME, MEET MATT COOPER
(AND JUDITH MILLER. AND BOB NOVAK.)
THE REPORTER’S PRIVILEGE REVISITED
By Lt Col Mary E. Harney, USAF

*Congress shall make no law respecting an establishment of religion, or
prohibiting the free exercise thereof; or abridging the freedom of speech, or of
the press, or the right of the people peaceably to assemble, and to petition the
Government for a redress of grievances.*⁶⁰

INTRODUCTION

When Matt Cooper wrote an article in *Time* magazine that identified Valerie Plame as a CIA agent, he probably did not envision that he would be embroiled in a legal quagmire for refusing to identify his government source to a grand jury. Yet, that is precisely where Cooper and co-defendant Judith Miller found themselves after refusing to reveal their sources about Plame. They claim that reporters need a federal shield law, or privilege, to exempt them from revealing their sources, even to a grand jury. Many of

their colleagues agree with them.⁶¹ Their case illustrates the tension and friction that exist when the media operate in a democracy.

MEET VALERIE PLAME

On 28 January 2003, President George W. Bush uttered 16 words in his State of the Union Address that ignited a debate about the consequences to reporters for shielding their sources. President Bush stated, “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.”⁶² On 6 July 2003 The New York Times published an op-ed piece by former Ambassador Joseph Wilson that claimed that the Central Intelligence Agency (CIA) sent him to investigate whether Saddam had bought uranium from Niger; he concluded that no link existed.⁶³ On 14 July 2003, Robert Novak wrote a syndicated column asserting that “two senior administration officials” told him that Wilson’s selection to go to Niger came at the suggestion of Wilson’s wife, Valerie Plame, whom Novak described as a CIA “operative on weapons of mass destruction.”⁶⁴ A few days later, on 17 July 2003, *Time* published an article co-authored by Matt Cooper, which also alluded to the role Wilson’s CIA wife played in sending him to Africa.⁶⁵ Because of this and other articles, the Department of Justice (DOJ) initiated an investigation into whether any government employees violated federal law by disclosing the identity of a CIA agent, contrary to the Intelligence Identities Protection Act (Act).⁶⁶ In December 2003, the Attorney General appointed a Special Counsel, who convened a grand jury investigation in January 2004.⁶⁷

The grand jury issued two subpoenas to Matt Cooper and *Time*, who provided some of the requested testimony and documents. They refused, however, to provide all documents and tapes relating to the July 17 article, and those relating to Wilson, Plame, and her affiliation with the CIA. As a result, the United States District Court for the District of Columbia held them in contempt. At the same time, the grand jury subpoenaed Miller, a reporter for *The New York Times*, requesting similar material.⁶⁸ Cooper, *Time*, and Miller appealed the contempt orders to the United States Court of Appeals for the District of Columbia, arguing that a reporter enjoys a privilege under the First Amendment and common law to protect the identity of sources. The Court of Appeals disagreed and affirmed the lower court’s ruling.⁶⁹

THE LEGAL PROTECTIONS

The Creedal Framework. The Founding Fathers rebelled to escape tyranny, and created a political system centered on democracy, liberty, and opportunity.⁷⁰ To one expert, American democracy rests upon two legs of a “creedal framework”: The Declaration of Independence and the Constitution.⁷¹ Both have provided a broad, sturdy framework to protect a vigorous American free press for over 200 years.

The Supreme Court. If the Declaration and Constitution framed the free press, then the United States Supreme Court has shaped it further. In *Branzburg v Hayes*,⁷² the Supreme Court considered contempt proceedings against reporters who were subpoenaed to testify about the criminal activities they observed while preparing their stories, and to identify

confidential informants key to those stories. All the newsmen refused to comply. All were held in contempt of court. And, all filed appeals that wound their way to the Supreme Court, where the newsmen asserted that the First Amendment exempted reporters from identifying their sources before a grand jury, because it would dry up other sources for future stories.

The Supreme Court disagreed, balancing the role of the press under the First Amendment with the role of grand juries under the Fifth Amendment. The Court recognized that the power of a grand jury to subpoena witnesses is “essential to its task,”⁷³ and that courts and grand juries operate under the principle that “the public has the right to hear every man’s evidence” except for those persons protected by a privilege.⁷⁴ The Court refused to create a privilege expressly for reporters. The Supreme Court upheld the public interest in deterring crime over the media’s interest in protecting a source: “[W]e cannot seriously entertain the notion that the First Amendment protects a newsman’s agreement to conceal the criminal conduct of his source, or evidence thereof, on the theory that it is better to write about crime than to do something about it.”⁷⁵

Procedural Protections. Flowing from the creedal framework and case law, other sources of guidance are also sufficient to protect the media and their sources. This is also true in the *Plame* litigation. Various procedures ensure that law enforcement and prosecutors properly use the grand jury process. For example, the DOJ has published guidelines (Guidelines) for issuing subpoenas to news media personnel that recommend their use only as a last resort and encourage negotiations with the news organizations.⁷⁶ Before the Court of Appeals, Cooper and Miller argued that the Special Counsel failed to follow these Guidelines. The Court of Appeals dismissed this argument because the Guidelines are just that — nonbinding guidance for prosecutors. Moreover, grand jury proceedings are secret, a fact often overlooked in the press coverage of the *Plame* case. The Court of Appeals emphasized that secrecy protects the entire investigative process and does not permit a reluctant witness to demand access to materials cloaked by grand jury secrecy.⁷⁷

“A WEAK REED TO LEAN ON”

From a legal perspective, the “pyramid of protections” is enough to allow reporters such as Cooper and Miller to protect their sources. From a more pragmatic perspective, this case contains evidence of poor judgment on both sides: the defendants for taking an ill-advised risk to “out” Valerie Plame, and the prosecution for pursuing a factually weak case. Journalists who supported Cooper and Miller deride this case as another example of the Bush Administration’s trampling on personal freedoms; one commentator called it a “moment of peril” for American journalism.⁷⁸ Others worried that this was not the right case to test the limits of a reporter’s protections, fearing that the case will put a “stake through its heart.”⁷⁹

Which side is “right”? I propose that the *Plame* case represents the adage that bad facts make bad law. First, the case springs from a criminal proceeding. As a result, Cooper and Miller immediately found themselves at odds with society’s interest in investigating and prosecuting crime. Second, “outing” a CIA agent, a tangential item in a

story about weapons of mass destruction, hardly seems worth the risk. Bob Woodward agrees, characterizing the use of confidentiality in the *Plame* case as a “weak reed to lean on.”⁸⁰ He said a journalist must decide when protecting a source merits the risk of jail, and concluded that “Plame” was not worth that risk.⁸¹ Woodward believes that reporters should use confidential sources only for “important” matters, and that Plame was not a “case you’d choose to make law on.”⁸²

CONCLUSION: “PLAMING” OUT

With 16 words uttered by the President of the United States, Matt Cooper and Judith Miller began a bizarre legal odyssey. When asked to inform a grand jury about publishing Plame’s CIA affiliation, the reporters asserted that reporters must be exempt from revealing their sources, even to grand juries. The Special Counsel disagrees. To say this case reflects the tension of a free press is an understatement. For Matt Cooper and Judith Miller, 16 words triggered their current nightmare. They can only hope their case doesn’t just “Plame” out.

EMBEDDED JOURNALISM: A VIEW FROM THE BATTLEFIELD

By LtCol. Phillip W. Chandler, USMC

The relationship between the military and the media has ebbed and flowed as each side has tried to determine the proper framework for co-existence. Much of the conflict in the relationship has centered on the balance between the military need for operational security and the public right to access through the media. The Bush Administration utilized a new system of “embedding” during Operation Iraqi Freedom (OIF). The Department of Defense (DOD) defines “embedding” as:

[T]he act of assigning a reporter to a unit as a member of the unit. The reporter eats, sleeps, and moves with the unit. The reporter is authorized open access to all sections of the unit and is not escorted by public affairs personnel. Rather, the unit is the public affairs escort. Reporters file their stories from unit locations and security is accomplished at the source, by establishing with the reporter what can be covered and reported on and what cannot be reported on, or when material can be reported.⁸³

This system, employed during OIF, was the first department-sponsored mass deployment of media in a combat operation since Vietnam. The DOD cited several reasons for the shift in policy with the most critical cited as “the growing comprehension of the importance of coverage of operations for public relations.”⁸⁴ During OIF, the Department sought to leverage the power of the press as a public relations mechanism and to counter Saddam Hussein’s lies and propaganda.

During the offensive phase of the campaign nearly 400 journalists embedded with the Army, 150 with the Marines, 141 with the Navy, and 18 with the Air Force.⁸⁵ Combined with about 1,445 “unilaterals” (non-embedded credentialed reporters), the total number of journalists in theater exceeded 2,200.⁸⁶ This large contingent of reporters combined with advanced communications would transform coverage of combat

operations.

Members of the military and media continue to debate the advantages and disadvantages of embedding, but the consensus was that both the military and the press (and therefore the public) profited in these ways:

- It provided full access to the media and more complete coverage for the public, while allowing the military to leverage the power of the press to help achieve its objectives.
- It helped reinforce operational security, because the embedded reporters had heightened sensitivity to the impact of disseminating plans and information.
- It generally provided positive public relations for the military – albeit in the context of a highly successful operation.
- Both the military and the media built credibility in the eyes of the public.
- The system supported the military’s information operations (IO) campaign. Media officials did not view themselves as tools in a manipulative IO campaign (compared, e.g., to Vietnam’s “Five O’clock Follies”) but rather as honest brokers free to travel and report what they want. The best illustration is the way the military used media coverage to “debunk” false claims coming from the Iraqi Minister of Information (“Baghdad Bob” or “Comical Ali”). This was a powerful “weaponization of reporters” as noted by author Joseph Nye.⁸⁷

Several limitations could affect the future of embedding reporting. The largest complaint against the system is the “soda straw” effect, in which coverage becomes so focused at the unit level that the comprehensive story is lost. In conjunction with the “soda straw” effect is the concern that embedded journalists become too attached to the assigned units and lose their impartiality. A second disadvantage is the additional burdens on the military for the safety and logistic support of the embedded reporters, but most military discount this as a trivial burden. Third, as public relations are an advantage of the system, it can just as easily become a public relations nightmare if the operation is failing or yields embarrassing information.⁸⁸ Finally, as was witnessed later in the war, a vacuum in the coverage is left when embedded reporters depart and the public is denied the intensity of coverage that it came to expect. This can lead to a perception problem and the loss of initiative in the information campaign.

Overall military, media, and public perceptions of the embedded system are positive, especially in light of the past tensions. Supporters praised the system as:

[o]ne of the most remarkable win-win-win propositions. It’s clear that journalists, who want access more than anything else, were given remarkable access. It seems to me clear that the military got much more favorable coverage than they would have had there not been embedding. And it’s clear that the public saw a type of picture that they had never, never had an opportunity to see before.⁸⁹

I interviewed several commanding officers of Marine infantry battalions about the impact of the embedded system on their units. They were overwhelmingly positive, and all said they would prefer to have embeds in future operations. They emphasized the positive light it cast on the honor and courage of the young Marines and sailors. One

commander noted, “Embedding is the way to go. Of all the reporters that spent a week or more, I never saw a piece that wasn't sympathetic to the Marines.” He continued, “Marines do not need any coaching except to be reminded that they speak for all generations of Marines and should say nothing to let previous generations down. I never worried.”⁹⁰ The 1st Marine Division OIF Lessons Learned After-Action Report reinforces this sentiment. It states, “journalistic desires of impartiality gave way to human nature” and “1st Marine Division was not an anonymous killing machine-it was an 18 year-old Marine from Anywhere, USA.”⁹¹ Embedded reporting put a human face on the complexity and reality of combat. Another battalion commander noted:

The embeds also developed a rapport with the men as their lives often depended on them. This lent to a sense of respect for us and them towards one another. They are a very valuable asset – read invaluable – for IO and connecting the tactical and operational level to the strategic level. When we found huge caches, weapons or fighters in mosques, C2 nodes, execution and torture houses etc... we would pool up the embeds and get them there immediately. They loved that, as it gave them the stories that they live or die by and helped us considerably to attain our goal of good PR and information flow.⁹²

The embedding system holds the best promise for a continued partnership between the military and the media. This system has improved credibility and trust in the eyes of the public for both groups; therefore, it is in the best interest of each to retain and improve it. In the words of Bob Schmidt, an ABC radio correspondent, “I can say the interests of everyone, from the media and the military to the parents and the spouses of the troops, were better served with direct reporting from the field.”⁹³ Use it again.

“WHEN ‘FREE TV’ IS NOT FREE: NO NEWS IS NOT GOOD NEWS”

By Lt Col Gregory Riddlemoser, USAF

“We are in the midst of a revolution. It’s been bloodless so far, but the changes we are experiencing are as great in their own way as changes which often follow wars and coups. The revolution I am referencing is technology...old policies and structures based on old technology are giving way, and we must look for new ones.”

-Former FCC Chairman, R.E. Lee, July, 27, 1987

A great portion of the recent public debate about television, and the news it delivers, centers around decency, deregulation, media consolidation and the expiration of the Fairness Doctrine in 1987. Very little press coverage has been given to an insidious event that could spell disaster for “free” television news, as we know it. The Federal Communications Commission (FCC)⁹⁴ is directly responsible to Congress,⁹⁵ which has empowered the FCC to virtually eliminate free television and therefore free news.

The FCC, with the help and direction of Congress, is reclaiming a segment of the television portion of the public airwaves for third generation cell phones and first responder mobile radio uses, and mandating a move to all digital television (DTV).⁹⁶ Congress gave broadcasters \$80 billion worth of digital spectrum to begin the transition

to all digital, which, once complete, would return the analog TV spectrum to the FCC to be auctioned off, a process predicted to yield over \$100 billion.⁹⁷ In 1996, Congress told broadcasters to complete the digital shift by December 2006 or when digital TV reaches 85% in a market,⁹⁸ whichever comes later.⁹⁹

Over-the-air (OTA) broadcasting (television picked up by the consumer via “rabbit ears” or other antenna) was the norm in America for 40 years and was the primary vehicle for consumption of the “network news.” The relationship of news provider to news consumer took on a new face with the advent of cable television. OTA stations broadcast into densely populated areas, and rural Americans did without or received very weak and fuzzy signals on the periphery of major markets. Cable TV rectified this disparity but created a new “problem.” Cable subscribers had to pay for news that OTA users were receiving at no charge. As cable matured over the next 30 years, the market responded by giving cable TV subscribers more channels and content than OTA viewers could receive.

With the wide dissemination of cable and satellite TV delivery systems, “there’s a new definition for the ‘local’ in local journalism. It is anywhere a satellite can reach.”¹⁰⁰ During the 1980s, TV channel availability was transformed “from garden hoses into fire hoses.”¹⁰¹ It became easier for news providers to sell content to consolidated cable and satellite providers and obtain national exposure, rather than to sell content to “individual” stations in thousands of American markets for OTA broadcast purposes. Cable and satellite technology made this possible to the point that the top ten cable operators serve more than 85% of cable subscribers nationwide, and 92 million of the 108 million U.S. TV households today are served by a cable system that offers digital programming.¹⁰²

The newest major assault on free OTA TV and free news viewership is the technology of digitization. OTA viewers did not have to go cable, nor did OTA or cable users have to go satellite. By law, however, everyone is going to have to go digital by 2006. “Digital” TV¹⁰³ will fundamentally change “free and public access” to the TV news market the way no technological advance has thus far. Digital TV enables all providers (even OTA) to encode multiple channels in the same “space” that one previously took up. While this gives OTA and cable similar technological advantages as satellite, it puts “free” TV, and the news it provides, at a disadvantage.¹⁰⁴ Once the FCC requires all providers¹⁰⁵ to “flip the switch to digital,” all OTA TVs and most cable subscribers’ TVs will go dark. Only the already digital will be unaffected¹⁰⁶ and, “only 12 percent of homes have digital sets, at an average cost of \$950.”¹⁰⁷ Consumers with “analog” TVs (regardless of their signal provider) will have to purchase a digital converter for each of the TVs they have in their home, office, school, nursing home, etc., at a cost of around \$100 each. OTA TV will still be free, but consumers will have to purchase additional equipment to receive this “free” product.

The digital TV conversion regains a critical portion of the electromagnetic spectrum for life-saving purposes, and cable TV can now compete better with satellite TV, but the digital transition “renders useless nearly 200 million TVs whose purchase value exceeds \$35 billion.”¹⁰⁸ The very people who can least afford it – the inner city

poor, the rurally isolated and those on fixed incomes in major metropolitan and suburban markets – will have to purchase set-top converter boxes or new digital-ready TVs. The question arises whether the government should help millions of low-income Americans keep their analog TVs working. About 21 million homes (19% of U.S. households), nearly half of which have incomes under \$30,000, receive only “free” OTA TV, according to the Government Accountability Office (GAO).¹⁰⁹ GAO estimates a subsidy program would cost between \$1.8 billion and \$10.6 billion if Congress decided to subsidize a converter box for OTA, cable, and satellite subscribers who could not get digital reception.¹¹⁰

Radio news is free, if you own a radio; Internet news and newspapers are free – to citizens who visit the local library. When television news goes dark due to the digital conversion, do taxpayers, via the Congress, “owe” subsidies to fellow citizens who cannot afford the equipment required to receive “free news?” Certainly consumption need not be free for the First Amendment to be effective.

The heyday of network television news may be over. The first 40 years brought growth, popularity and respect. In recent decades, “[e]ach breakthrough – audiotape, videotape, the minicam, the computer, the satellite – changed what could be presented and how it was presented. In politics, radio, and television, changing technology changed the news.”¹¹¹ These advances placed “the news” under unrelenting assault. Cable, satellite, constant high-tech improvements, and the FCC’s desire to embrace them put free TV and the news it delivers on the defensive. The final assault of “digital” television may prove too significant for network news to overcome. As former FCC Chairman Robert E. Lee has written, “The FCC has made some controversial decisions which may initially appear inconsistent with the goal of low cost service to some segments of the using public...[maybe] it’s time to take a second look at some of the results of accumulated deregulation, and to reconsider whether certain of these changes made things better – or actually worse.”¹¹²

THE NEWS MEDIA IMPACT ON INTERNATIONAL UNDERSTANDING

By Ms. Julie Nutter, U.S. Department of State
and Ms. Cindy Wofford, U.S. Secret Service

Although September 11 generated more interest in and awareness of international events, there still exists a gap in Americans’ understanding of the impact international developments have on their lives and well-being. In the past, the media and the government itself have provided much of the depth and context to international news, raising the question of how well these actors explain, use, filter, and disseminate the news, and how well they serve the citizenry. The U.S. government counts on its access to the media to help carry out its foreign policy, and the media affect that policy. As important, the U.S. news media influence the perceptions the rest of the world has about America. In light of all of this, the question arises about whether American “cultural imperialism” exists and whether the media are a part of it.

THE ROLE OF THE MEDIA AND INTERNATIONAL NEWS COVERAGE

News coverage is a significant element in shaping the public's understanding of international events and issues.¹¹³ Despite this role of the media, and increasing globalization, the portion of U.S. network news broadcasts devoted to international developments has been declining for almost 20 years. There was an uptick of coverage after September 11 and after the U.S. invasion of Iraq, but subsequent reports have focused on the U.S. role in the war in Iraq to the almost complete exclusion of other significant international stories.

This decline in foreign coverage has resulted from both supply and demand. Editors and producers assume Americans don't want to watch international news, and so they close costly foreign bureaus, which reduces the international coverage even more. However, the cost and "interest" issues mask the larger and more serious phenomenon of the *decline in the perception of hard news as a "public good" and the resultant disinclination of media corporations to invest in news divisions.*

U.S. policymakers of course play a key role in explaining U.S. foreign policy – both to Americans and foreigners – and do so through the media. Negative attitudes and the conditions that create them are sources of threats to American national security, and they make it harder to achieve diplomatic success. Terrorism, thin coalitions, harmful effects to our business, restrictions on travel, declines in cross-border tourism and information flows are tactical manifestations of a pervasive atmosphere of hostility.¹¹⁴

The term "public diplomacy" first was used in 1965 to describe the influence of public attitudes on the formation and execution of foreign policies.¹¹⁵ Public diplomacy is more than targeting individual citizens. It includes the "cultivation...of public opinion in other countries; the interaction of private groups and interest in one country with those of another...and the transnational flow of information and ideas."¹¹⁶ Foreign government behavior and policies, even in dictatorships, are influenced by parliaments, civil society, corporations – and news organizations. Our news media play a huge part in conveying messages and information across national borders to all of these groups.

Overseas media not only attempt to influence U.S. public opinion also use their power to force internal change in unexpected places, such as the Middle East. Due to the autocratic nature of many Muslim Middle Eastern governments, many U.S. policymakers have historically dismissed mass opinion as unimportant and have focused only on the opinions and policies of governing elites.¹¹⁷ However, a struggle is unfolding in the Muslim world that resembles a civil war of sorts between the forces of extreme and moderate Islam.¹¹⁸ The (mostly) Arab news media, particularly satellite TV¹¹⁹ are playing a critical role. The often controversial programs of Al Jazeera and other private satellite news channels are drawing viewers away from state-run television; independent newspapers are springing up; and the Internet is providing a platform for young dissidents.¹²⁰

The Bush Administration wants to capitalize on some of these outlets. Partly to counter the sensationalism of Al Jazeera, the U.S. government has attempted to create media outlets in the Middle East, along the lines of Radio Free Europe during the Cold War. Radio Sawa, which broadcasts news and music to countries in the region, has had some significant success; Al Hurra's TV audience, however, is fairly thin. Apart from the U.S. government-sponsored outlets in the Middle East, traditional American media overseas face the charge of cultural imperialism?

CULTURAL IMPERIALISM

The export of American culture or "American cultural imperialism" as some have coined it, describes the way America – to include the media – influences other countries. Some nations try to stem their own cultural erosion. For example, Gaetan Tremblay, professor of communications at the University of Quebec in Montreal believes that governmental regulation can help the Quebecois maintain cultural sovereignty and national identity. However, advanced technologies – satellite and the Internet – and sheer proximity to America still challenge Canadian culture.¹²¹ In some contrast to Canada, China has tried to minimize the impact of Western media through regulation and censorship. Its distinct culture, language, and distance from the US also help.¹²²

Developing countries attempted to take a stand against "cultural imperialism" in the 1970's. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) proposed the New World Information and Communication Order to balance the flow of news and programs between Western countries and lesser developed countries. The U.S. and the United Kingdom withdrew from UNESCO in protest; critics said it was due to lost opportunity to influence the rest of the world and profit from it.¹²³

Media communication has the potential to promote Western economic and social models in developing countries, but the import of Western, especially American, media also carries a dominance of news, entertainment, communication technology, and the English language.¹²⁴ Compounding this is the fact that the world news has traditionally been dominated by Western media: the Associated Press (AP), the United Press International (UPI), Reuters (UK), and Agence France-Presse (AFP). Moreover, since the 1990's, CNN has become the world's most watched television news source.¹²⁵

On the other hand, Samuel P. Huntington, Harvard University professor, argues that mainstream U.S. journalists have become more cosmopolitan,¹²⁶ that their views are more activist and internationalist, and less pro-American. Additionally, the explosion of voices and sources of available information adds to the diversity of opinions and attitudes. This broadening, combined with the traditional independence of the media and the profit motive of the media can make it difficult for the U.S. government to communicate a uniform message via corporate media entities – the price of a free press.

Despite these limiting factors – cosmopolitanism, cacophonous voices, negative reporting, and off-putting aspects of pop-culture – American media are a positive element in spreading American cultural and political influence. State-sponsored media and

cultural resources are potentially more efficient tools for presenting American culture, and they have shown some promise in the Arab world, as they did during the Cold War, but it is impossible to suppress the ubiquity and impact of our indigenous media.

CONCLUSION

The information revolution has made the media more important than ever in influencing foreign opinions and U.S. foreign policy. Consequently, the success of U.S. policy is more dependent than ever on its ability to affect opinion, although foreign governments (e.g., Canada, China, and Saudi Arabia) have resisted American programming, both private sector and government-run.

The factors discussed make the media an important but hard-to-manage foreign policy tool. The best solution is to respect mainstream media as a foreign policy instrument, while also employing state-sponsored media in a strategy that counters hostile opinion and promotes Western values.

The Middle East will be a special challenge because the U.S. is so unpopular among so much of its populations. A strategy that appeals to groups such as young Muslims, drawing their attention away from the notion of “America-as-villain”¹²⁷ and emphasizing the attractive parts of our culture is especially important there. It remains to be seen, however, whether public diplomacy can successfully reconcile public policy with public relations. We should never presume that the U.S. will be the agent of change in the Muslim world; therefore, the most productive approach to countering popular discontent in the region might be to build our programs around the restive, indigenous forces for change.

¹ For a definition of “Fourth Estate,” see <http://en.wikipedia.org/wiki/Fourth_Estate> (30 May 2005).

² Oregon Senator Ron Wyden recently introduced a bill that would require cable providers to offer a certain amount of “child-friendly” programming.
<http://wyden.senate.gov/media/2005/print_04282005_KidsTier.html>

³ **Audience cap:** A company may own television broadcast stations that reach no more than 39% of the national television audience. **Network mergers:** A single company may not own any two of the top four networks – CBS, NBC, ABC and Fox. **Television:** A company may own two stations in the same market only if eight independently owned stations remain after the merger, thus limiting “duopolies” to the largest markets. No company may own more than one of the four highest-rated stations in a single market. **Radio:** A company may own up to five radio stations in markets with fewer than 14 total stations (but not more than 50% of the total), up to six in a market of 15 to 29 stations, up to seven in a market of 30 to 44 stations and as many as eight in markets with 45 or more stations. Those totals include both AM and FM stations, although the rules set separate limits for both parts of the spectrum. **Newspaper/broadcast:** A company that owns a television or radio station may not own a daily newspaper in the same market. **Television/radio:** A company can own a television station (or two, if it meets the FCC’s local television ownership “duopoly” rule described above) and up to seven radio stations as long as 20 independent “voices” (separately owned radio or television stations) remain after the purchase. In smaller markets, a company may own a television station and up to four radio stations if at least 10 independent voices remain. <<http://www.publicintegrity.org/telecom/default.aspx?act=rules>> (30 May 2005).

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- ⁴ “The State of the News Media 2005: Newspaper – Audience,” Project for Excellence in Journalism, Columbia University School of Journalism, <<http://www.stateofthemedial.org/2005/index.asp>> (15 March 2005).
- ⁵ Ibid.
- ⁶ Ibid.
- ⁷ Donna De Marco, “Times circulation Climbs to Buck Trend,” *The Washington Times*, 18 May 2005, <<http://www.washingtontimes.com>> (31 May 2005). According to this article, the *Times* increased circulation by 3% for the six-month period ending March 31. The *New York Times* daily and weekday circulation gained 0.2% and *USA Today* held steady.
- ⁸ Tom Brokaw, NBC, retired after the fall 2004 elections; Dan Rather, CBS, retired in spring 2005, spurred by the report on the Bush-National Guard reporting scandal; and Peter Jennings, ABC, left the air for an extended period in 2005 to fight lung cancer, but did not announce retirement.
- ⁹ Cliff Zukin, “Generation X and the News,” *Association of Electronic Journalism, Radio and Television News Directors Association Foundation*, <<http://www.rtnda.org/resources/genx/genfuture.htm>> (30 May 2005).
- ¹⁰ Leon Lazaroff, “Audience Decline: An Old Story,” *Chicago Tribune Online Edition*, 24 November 2005 (quoting Nielsen Media Research), <http://www.csupomona.edu/~jrballinger/448/readings/news_audience_decline/htm>
- ¹¹ 2003 is the last year for which statistics are available.
- ¹² In 2003, NBC’s evening newscast enjoyed \$161.9 million in revenues, up from \$156.3 million the year before. ABC evening news revenue was \$148.8 million in 2003, up from \$144.3 million the year before. In 2003, CBS took in \$155.8 million, up from \$148.4 million the year before. “The State of the News Media 2005: Network TV,” <http://www.stateofthemedial.org/2005/narrative_networktv> (30 May 2005).
- ¹³ A more accurate way to assess cable’s core audience is to use the median, a measurement that captures the midpoint between the highest and lowest viewership. Ibid.
- ¹⁴ Ibid.
- ¹⁵ Ibid.
- ¹⁶ Ibid.
- ¹⁷ Ibid.
- ¹⁸ Ibid.
- ¹⁹ Ibid.
- ²⁰ Lorne Manly, “Satellite Radio Takes Off, Altering the Airwaves,” *The New York Times*, 5 April 2005, 1.
- ²¹ Ibid.
- ²² Standard & Poor’s Industry Surveys, *Broadcasting & Cable*, 11 November 2004, <<http://sandp.ecnext.com/sandp/includes/paper.pdf>> (11 November 2004)..
- ²³ “State of the News Media 2005: Ethnic/Alternative Audience,” <http://www.stateofthemedial.org/2005/narrative_ethnicalternative> (27 April 2005).
- ²⁴ Ibid.
- ²⁵ For a definition of “weblog,” see <<http://en.wikipedia.org/wiki/Weblog>> (27 February 2005).
- ²⁶ George Siemens, “The Art of Blogging – Part 1,” *elearnspace*, 1 December 2002, <http://www.elearnspace.org/articles/blogging_part_1.htm> (27 February 2005).
- ²⁷ Bob Wyman, “Minor milestone: of almost 9 million blogs, 5 million are active,” *As I May Think...*, 16 March 2005, <http://bobwyman.pubsub.com/main/2005/03/minor_milestone.html> (16 March 2005).
- ²⁸ “The State of the News Media 2005, Overview,” <http://www.stateofthemedial.org/2005/narrative_overview> (30 May 2005).
- ²⁹ For a definition of “vlog,” see <<http://en.wikipedia.org/wiki/Vlog>> (17 March 2005).
- ³⁰ Jeff Jarvis, “Vlogs: the state of the art,” <<http://www.buzzmachine.com/archives/>> (17 March 2005).
- ³¹ For an overview, visit <<http://en.wikipedia.org>>.
- ³² The term is a bit of a misnomer because an iPod is not necessarily required to receive a podcast – any MP3 player will suffice.
- ³³ For a definition of podcasting, see <<http://en.wikipedia.org/wiki/Podcasting>> (17 March 2005).
- ³⁴ “Top 10 Podcasts for March: NASA Still in Orbit,” <<http://www.podcastingnews.com>> (4 April 2005).
- ³⁵ Ted Turner, “Break Up This Band!” *Washington Monthly* (Jul/Aug2004), 36
- ³⁶ “The State of the News Media, 2005,” <http://www.stateofthenewsmedia.org/2005/narrative_online_audience> (30 May 2005).

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- ³⁷ Ibid.
- ³⁸ Ibid.
- ³⁹ The Pew Research Center for the People and the Press, "Bottom Line Pressures Now Hurting Coverage," 23 May 2004, <<http://people-press.org/reports/display.php3?ReportID=214>> (23 May 2004).
- ⁴⁰ Ibid.
- ⁴¹ The Pew Research Center for the People and the Press, "The Media: More Voices, Less Credibility," 25 January 2005, <<http://people-press.org/commentary/display.php3?AnalysisID=105>> (25 January 2005).
- ⁴² Ibid.
- ⁴³ "The State of the News Media, 2005," <http://www.stateofthenewsmedia.org/2005/narrative_overview_publicattitudes> (30 May 2005).
- ⁴⁴ The Pew Research Center for the People and the Press, "The Media: More Voices, Less Credibility," 25 January 2005, <<http://people-press.org/commentary/pdf/105.pdf>> (25 January 2005).
- ⁴⁵ Ibid.
- ⁴⁶ "The State of the News Media, 2005," <http://www.stateofthenewsmedia.org/2005/narrative_overview_publicattitudes> (30 May 2005).
- ⁴⁷ For the official report on the CBS scandal, mandated by its top management, see <http://www.image.cbsnews.com/htdocs/pdf/complete_report/CBS_Report.pdf> (31 May 2005).
- ⁴⁸ For the Newsweek retraction, see <<http://www.msnbs.msn.com/id/785154/site/newsweek>> (31 May 2005).
- ⁴⁹ Newspaper Association of America, *NAA Online*, 6 December 2004, <<http://www.naa.org/artpage.cfm?TID=NR&AID=6583>> (6 December 2004).
- ⁵⁰ "The State of the News Media 2005," <http://www.stateofthenewsmedia.org/2005/narrative_online_audience> (30 May 2005).
- ⁵¹ Standard and Poor's Industry Surveys, *Broadcasting and Cable*, 11 November 2004, <<http://sandp.ecnext.com/sandp/includes/paper.pdf>> (11 November 2004).
- ⁵² Leonard Downie and Robert G. Kaiser, *The News About the News* (New York: Vintage, 2003), 219.
- ⁵³ Kovach, 70-93.
- ⁵⁴ Ibid.
- ⁵⁵ "New CNN Chief Wants Some Bronx Toughness," *USA Today*, 1 May 2005, <www.usatoday.com> (31 May 2005).
- ⁵⁶ "The Future of News," *The Media Center*, 2004.
- ⁵⁷ "The State of the News Media 2005" <<http://www.stateofthenewsmedia.org/2005/index.asp>> (30 May 2005).
- ⁵⁸ "Target Practice," *The Economist*, 2 April 2005, 2.
- ⁵⁹ Ibid.
- ⁶⁰ U.S. CONST. AMEND. I, reprinted in *American Legacy: The United States Constitution and other Essential Documents of American Democracy* (Calabasas: Center for Civic Education, 2003).
- ⁶¹ Most of the articles I found about the case overwhelmingly favored the reporters. What follows is just a sampling. See William E. Jackson, Jr., "Plame Case May End With Criminal Going Free and 'Witnesses' Jailed," *Editor & Publisher*, 23 March 2005, <<http://editorandpublisher>>; Carol Leonnig, "Judges Order 2 Reporters to Testify on Leak," *The Washington Post*, 16 February 2005, A1; Douglas McCollam, "Attack at the Source: Why the Plame case is so Scary," *Columbia Journalism Review* (January/February 2005), <<http://cjr.org/issues/2005/2/mccollam-plame.asp>>; Tim Rutten, "Reporters should be shielded from jail," *Los Angeles Times*, 19 February 2005, E1; Jack Shafer, "Free Matt Cooper," *Press Box*, 10 August 2004, <<http://slate.msn.com>>; David L. Westin, "'Just About the Weakest Case,'" *Wall Street Journal*, 18 February 2005, A10.
- ⁶² President George W. Bush, "The State of the Union Address," Office of the Press Secretary, 28 January 2003, <<http://www.whitehouse.gov/news/releases/2003/01/20030128-19.html>> (30 May 2005).
- ⁶³ *In re: Grand Jury Subpoena, Judith Miller*, No. 04-3138 (D.C. Cir. Feb. 15, 2005) (on file with the author).
- ⁶⁴ Robert Novak, "The Mission to Niger," *Chicago Sun-Times*, 14 July 2003, 31. Novak's article is 10 paragraphs long; it focused on why Wilson went to Niger, the findings of his investigation, and how the Administration viewed those findings as "less than definitive." In one short paragraph, Novak reported that Valerie Plame, Wilson's wife, is a CIA operative who reportedly suggested sending Wilson to Niger. Later, on 1 October 2003, Novak wrote another column in which he claimed that Valerie Plame's status as

a CIA agent was no big secret in Washington circles and that others had identified her prior to his July 2003 article. Even so, Novak stated he “regretted” calling her an operative; he hinted that he regretted even using her name. Robert Novak, “The CIA Leak,” *Townhall.com*, 1 October 2003, <<http://www.townhall.com/columnists/robertnovak/printn20031001.shtml>>. Notably, Novak has kept a low profile during the Cooper and Miller litigation, much to the chagrin of fellow journalists. Frank Rich, “All the President’s Newsmen,” *New York Times*, 16 January 2005, 2.1 (challenging Robert Novak to explain why he has so far managed to escape censure in the ongoing investigation his outing of CIA operative Valerie Plame).

⁶⁵ Matt Cooper, Massimo Calabresi, and John F. Dickerson, *A War on Wilson?*, TIME.COM, 17 July 2003, <<http://www.time.com/time/nation/article/0,8599,465270,00.html>> (30 May 2005).

⁶⁶ 50 U.S.C. § 421 (criminalizing the disclosure of the identity of a covert agent by anyone having access to classified information). This Act loosely resembles the British Official Secrets Act of 1989 (on file with the author). The Official Secrets Act has a much broader reach, however. For example, it criminalizes not only unlawful disclosures of security or intelligence information by government officials, but also unlawful disclosures by those (such as reporters) who were given the protected information.

⁶⁷ The Special Counsel is U.S. Attorney Patrick J. Fitzgerald from the Southern District of New York. For a lengthy profile of his career, see Peter Slevin, “The Prosecutor Never Rests,” *The Washington Post*, 2 February 2005, C1.

⁶⁸ *In re Special Counsel Investigation*, 332 F. Supp.2d 26 (D.D.C. 2004).

⁶⁹ *In re: Grand Jury Subpoena, Judith Miller*, No. 04-3138, at 23. The majority opinion did not squarely reach the issue of a common law privilege for reporters. In a lengthy concurring opinion, however, Judge Tatel asserted that a basis existed for a common law reporter’s privilege but concluded that this was not the right case to decide that issue. Judge Tatel did, however, note that 49 states and the District of Columbia have adopted a reporter’s privilege, either through legislation or judicial action. In his opinion, it’s time to recognize a federal common law privilege for reporters in light of the “reason and experience” of the laws in states and District of Columbia: “To disregard this modern consensus in favor of decades-old views...would...imperil vital newsgathering....” *Ibid.* at 17. [Note: the majority and concurring opinions in the slip opinion are numbered separately].

As an aside, federal shield law legislation is pending in Congress. On 14 February 2005, Senator Chris Dodd (D. Conn.) introduced the Free Speech Protection Act of 2005, S.369. The proposed legislation would prevent any authority with subpoena power from compelling a member of the news media from disclosing a source or information about a source. The statute would extend the privilege to the media employee’s supervisor, employer, or any other person assisting the media employee. For other information, the party requesting the information must provide clear and convincing evidence before a court may compel disclosure. The bill has been referred to the Judiciary Committee.

⁷⁰ Martin Diamond, *The Founding of the Democratic Republic*, (Belmont: Wadsworth/Thomson Learning, 1981), 2-3.

⁷¹ *Ibid.*

⁷² 408 U.S. 665 (1972).

⁷³ *Ibid.* at 688.

⁷⁴ *Ibid.* at 689-90.

⁷⁵ *Ibid.* at 692. The Court continued with the following reasoning on why the public interest in deterring crime outweighs the public interest in future news about crime:

Accepting the fact, however, that an undetermined number of informants not themselves implicated in crime will nevertheless, for whatever reason, refuse to talk to newsmen if they fear identification by a reporter in an official investigation, we cannot accept the argument that the public interest in possible future news about crime from undisclosed, unverified sources must take precedence over the public interest in pursuing and prosecuting those crimes reported to the press by informants and in thus deterring the commission of such crimes in the future. *Ibid.* at 695.

In his concurring opinion, Mr. Justice Powell stated that reporters and the press should rely on the traditional way of resolving constitutional questions: in the courts. Referring back to the majority opinion, Justice Powell commented that a reporter may file a motion to quash a subpoena if he or she believes that a grand

jury investigation is not being conducted in good faith. If the potential information bears only a “remote and tenuous relationship to the subject of the investigation, or if he has some other reason to believe that his testimony implicates confidential source relationships without a legitimate need of law enforcement,” then the reporter will have access to the courts to request a protective order. Ibid at 707.

⁷⁶ The Guidelines are set forth in 28 C.F.R. § 50.10. The Guidelines require that subpoenas for testimony from news media must be approved by the Attorney General and should meet the following standards (paraphrased):

- 28 C.F.R. § 50.10(f)(1): There should exist a reasonable belief that a crime has occurred from nonmedia sources; that the information sought is essential to a successful investigation; and the subpoena should not be used to obtain peripheral information.
- 28 C.F.R. § 50.10(f)(3): Before issuing a subpoena to the news media, all reasonable efforts should be made to obtain the information from alternative sources.
- 28 C.F.R. § 50.10(f)(6): Subpoenas should be directed towards limited information for a limited period of time.
- 28 C.F.R. § 50.10(f)(4): The use of subpoenas for members of the news media should be limited to verifying published information and to surrounding information relating to the accuracy of the information.
- 28 C.F.R. § 50.10(c): When issuance of a subpoena to a member of the news media is contemplated, the government shall pursue negotiations with the relevant media organization to accommodate the needs of the grand jury and the media. Where the interests of the investigation permit, the government should make clear what its needs are in a particular case as well as its willingness to respond to particular problems of the media.

⁷⁷ *In re: Grand Jury Subpoena, Judith Miller*, No. 04-3138 at 19.

⁷⁸ McCollam, p. 3.

⁷⁹ Ibid. at 12.

⁸⁰ Ibid. at 5.

⁸¹ Ibid.

⁸² Ibid. at 17.

⁸³ Field Manual 46-1, at 25.

⁸⁴ Christopher Paul and James J. Kim, “Reporters on the Battlefield: The Embedded Press in Historical Context,” *National Security Research Division, Rand Corporation, 2004*, 52. The principles cited included: 1) the return of growing tensions between the military and the media over access, 2) advances in technology limits the ability to control access regardless of DOD imposed restrictions, 3) growing comprehension of the importance of coverage of operations for public relations purposes, and 4) means to counter enemy propaganda campaign.

⁸⁵ Paul, 54-55

⁸⁶ Ibid.

⁸⁷ Joseph S. Nye, “U.S. Power and Strategy after Iraq,” *Foreign Affairs*, (Jul/Aug 2003) 67

⁸⁸ Consider the example of the Marine sharpshooter who inadvertently killed a woman standing near his lawful target. He was reported to have said, “I’m sorry but the chick was in the way.” “A NATION AT WAR: IN THE FIELD | MARINES; Either Take a Shot Or Take a Chance,” *New York Times*, Mar. 29, 2003, A1.

⁸⁹ Brookings Institution, “Assessing Media Coverage of the War in Iraq: Press Reports, Pentagon Rules, and the Lessons of the Future,” A Brookings Iraq Series Briefing, Falk Auditorium, Washington, DC, Jun 2003, <<http://www.brookings.edu/iraqindex>>

⁹⁰ Interview with LtCol Paul Kennedy, 2nd Bn, 4th Marines, 1st Marine Division, Mar 2003. LtCol Kennedy served as the battalion commander for 2/4 during operations in Ar Ramadi, Iraq from Feb – Sep 2004.

⁹¹ 1st Marine Division, Operation Iraqi Freedom, “Lessons Learned,” U.S. Marine Corps Report, May 2003, <http://www.globalsecurity.org/military/library/report/2003/1mardiv_oif_lessons_learned.doc>, 27 April, 2004. 33-34.

92 Interview with LtCol Pat Malay, 3rd Bn, 5th Marines, 1st Marine Division, Mar 2003. LtCol Malay served as the battalion commander for 3/5 for operations in the Al Anbar Province, Iraq from Sep 2004 – Apr 2005.

⁹³ Bob Schmidt, “The Embedding Experience,” *Airtime, Broadcasting and Cable*, 26 May 2003, 28.

⁹⁴ The Federal Communications Commission (FCC) is an independent governmental agency that regulates communications by radio, television, wire, satellite and cable; its jurisdiction covers the 50 states and territories. FCC Consumer Fact Sheet. “About the FCC,”

<<http://www.fcc.gov/cgb/consumerfacts/aboutfcc.html>> Under the provisions of the United States Communications Act of 1934, as revised, authority for managing the use of the radio frequency spectrum within the United States is shared between the United States Commerce Department’s National Telecommunications and Information Administration (NTIA) and the FCC. NTIA Background Paper, “Radio Frequency Spectrum Allocations in the United States,” January 2004, <http://www.ntia.doc.gov/osmhome/chart_03.htm>

⁹⁵ The House Energy and Commerce Committee and the Senate Committee on Commerce, Science, and Transportation have oversight over the FCC.

⁹⁶ “The FCC decision allows broadcasters to use their channels according to their best business judgment, as long as they continue to offer free programming on which the public has come to rely.” FCC Report MM 97-8, 3 April 1997, 1.

⁹⁷ Jim Prendergast. “Congress, Broadcasters, Hinder HDTV.” Friday, 23 April 2004,

<<http://www.foxnews.com/story/0,2933,118035,00.html>>

⁹⁸ The top 30 markets include 53% of television households. FCC Report MM 97-8, 3 April 1997, 1.

⁹⁹ Associated Press. “FCC Not Bent on Digital Broadcasts,” February 10, 2005,

<<http://www.foxnews.com/story/0,2933,147008,00.html>>

¹⁰⁰ Bliss, 448.

¹⁰¹ Lawrence J. Davis, *The Billionaire Shell Game*, (New York: Doubleday, 1998), 130.

¹⁰² Federal Communications Commission Report Number 05-27, 10 February 2005, 13-14.

¹⁰³ “HDTV” (High-Definition-TV) and “digital” TV (DTV) are not the same thing. DTV enables HDTV, and one HDTV signal takes up six DTV “stations.” HDTV is not addressed here and portends problems of its own.

¹⁰⁴ Cable and satellite companies are required (before, during, and after the digital transition) by FCC’s “must carry” rule to carry “local content” (including network news). FCC Report 05-27, 10 February 2005.

¹⁰⁵ “All broadcast stations are required to build a digital facility and broadcast a digital signal.” FCC Report 05-27, 10 February 2005.

¹⁰⁶ FCC rules require TV manufacturers to build *only* digital TVs starting in 2007. FCC Report 05-27, 10 February 2005.

¹⁰⁷ Associated Press, “House Trying to Speed Move to Digital TV,” 18 February 2005.

<<http://www.foxnews.com/story/0,2933,148028,00.html>>

¹⁰⁸ Jerry Whitaker, *DTV: The Revolution in Digital Video*, (New York: McGraw-Hill, 1999) 36.

¹⁰⁹ Associated Press, “House Trying to Speed Move to Digital TV,” 18 February 2005,

<<http://www.foxnews.com/story/0,2933,148028,00.html>>

¹¹⁰ Ibid.

¹¹¹ Bliss, Edward, Jr. *Now the News*. New York: Columbia University Press, 1991. pg 457

¹¹² Robert Emmet Lee, *In the Public Interest*, (Lanham, MD: University Press, 1996) 201, 264.

¹¹³ Philip Seib, “The News Media and the Clash of Civilizations,” *U.S. Army War College Quarterly*, Winter 2004-2005, 201, 264.

¹¹⁴ Report of the Defense Science Board Task Force on Strategic Communication, September 2004.

¹¹⁵ Charles Wolf and Brian Rosen. “Public Diplomacy: How to Think About and Improve It,” *Rend Occasional Papers*, 2004, p. 15.

¹¹⁶ Ibid.

¹¹⁷ Eric C. Nisbet, Matthew Nisbet, Dietram Sccheufele, and James Shanahan, “TV News and Muslim Opinion,” *Press and Politics*, Harvard University, 2004, p. 13.

¹¹⁸ Jon Alterman, “Arab Satellite Television: Can It Rise Above Spectacle?” *Arab Reform Bulletin*, Carnegie Endowment for International Peace, December 2004.

¹¹⁹ Jeremy Sharp, “The Al-Jazeera News Network: Opportunity or Challenge for U.S. Foreign Policy in the Middle East?,” The Congressional Research Service, July, 2003, p. 9.

¹²⁰ Alterman, *ibid.*

¹²¹ Gaetan Tremblay, "Is Quebec Culture Doomed to Become American?" *Canadian Journal of Communication*, Vol.17, No. 2, 1992, <<http://info.wlu.ca/~wwwpress/jrls/cjc/BackIssues/17.2/tremblay.html>> (30 May 2005).

¹²² H. Schiller, "Transnational media and national development," *National Sovereignty and International Communication* (1979), 212-32.

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ Samuel P. Huntington, "Dead Souls: The Denationalization of the American Elite," Research Library. Spring 2004; 75, 5-18.

¹²⁷ Joseph Nye, "US planning Arab-language TV broadcasts to Europe," *The Peninsula*, February 28, 2005, <http://www.thepeninsulaqatar.com/Display_news.asp?section=world_news&month=february2005&file=world_news2005022893024.xml>